

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION  
ERNEST EDWARD REED, JR.,

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ERNEST EDWARD REED, JR.,  
AIS # 111914, PLAINTIFF,

VS.

CIVIL ACTION NO: 2:05-CV-770-T

JEAN DARBOUZE, M.D., and  
PRISON HEALTH SERVICES,  
DEFENDANT'S,

STATE OF ALABAMA)

COUNTY OF BARBOUR)

AFFIDAVIT OF ERNEST EDWARD REED, JR.

I, ERNEST EDWARD REED, JR., state that I am the Affiant herein, in this Cause.

I further state that I am over the age of TWENTY ONE YEARS.

I further state that I am Mentally Competent to make said Affidavit, and do so, out of my own free will and choosing. I have not been promised anything to make said Affidavit, nor have I been Threatened or coericed into making said Affidavit.

Anything, I state in said Affidavit, I am willing to Swear to and or Testifiy to on the Witness stand, if necessary.

I have had a AGGRAVTAED HERNIA for quite some time, which originally occurred from a Wound, which happened before I became incarcerated. During my present Incarceration, while I was lifting weights one day, I aggravated my Hernia. I did this Un-intentionally, and not knowingly. I signed up for Sick Call Screening, and when I went down to see the Nurse for it, Nurse COOLEY, who recommneded that I be moved from a Top Bunk, to a Bottom Bunk, and for me to refrain from lifting any Heavy Objects, NURSE COOLEY also recommneded that I refrain from any serious lifting. Approximately Two (2) Weeks, later, I then saw a Medical Doctor, who stated that I should be seen by a outside Specialist, concerning possible Surgery for my Hernia. Instead, another

Medical Doctor overrode, the First Medical Doctor's opinion, and thus suggested that I wear a Brace for my back, for a period of time, to see if sugery would still be needed. I state that I never saw this Second Medical Doctor, and still have yet to see this same Doctor.

I have abstained from any Heavy Lifting, plus, I have also stopped Lifting weights, which I was advised would only further Aggravate my Hernia.

I do not understand why One (1) medical Doctor would state that it would be her Recommendation, that I be seen by a outside Specialist, and then comes along a Second Doctor, who does not even take the time to see me in person or examine me, and then changes the First Medical Doctor's Opinion.

The Defendant DOES NOT state what his Medical Expertise actually is when it comes to dealing with AGGRAVATED HERNIA'S. It is quite apparent to the Plaintiff, that for the First Medical Doctor to state that it was her opinion that I be seen by a outside Specialist.

For approximately the past Three (3) weeks, the Pain medication that I was placed on, has ended, and I have yet to be able or allowed to be placed on any other or further Pain Medication, despite my repeated requests, and attempts.

I have been charged repatedly for the same complaints, which concern my Hernia, when this is not suppose to happen either according to A.D.O.C.

While it is true, that the Defendant's are not thus required by Law to ensure that a Second Medical Opinion is given to a Prisoner who is incarcerated within a prison setting, surely, after One (1) such Medical Doctor makes such recommendation, then, that Recommendation should be followed to the extreme, especially, when the other Medical Doctor, who makes the Overriding decision, elects not to see or view the patient in person, thus only going by what other Nurses and or Doctors have stated, to the Plaintiff, that seems to be putting an Incarcerated Person in Jeopardy.

I DO NOT seek any Monetary Damages, ALL I DO SEEK IS FOR AN OUTSIDE CONSULTATION/ EVALUATION AND OR SURGERY TO CORRECT SAID HERNIA PROBLEMS.

DATED: 10-12 \_\_\_, 2005.

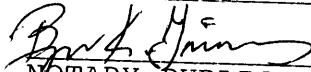
Respectfully Submitted,

Ernest Reed  
ERNEST EDWARD REED, JR.  
AIS # 111914 Dorm 6-B  
EASTERLING CORRECTIONAL FAC.  
200 WALLACE DRIVE  
CLIO, ALABAMA 36017-2615

STATE OF ALABAMA

COUNTY OF BARBOUR

Sworn to and Subscribed before me this the 12 day of  
Oct, 2005.

  
NOTARY PUBLIC:

5-7-2006  
MY COMMISSION EXPIRES ON: